



June 18, 2013

**VIA ECF**

Hon. Lois H. Goodman, U.S.M.J.  
U.S. District Court for the District of New Jersey  
Clarkson S. Fisher Federal Building & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

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Re: Orexo AB v. Mylan Pharmaceuticals Inc., et al.,  
Civil Action No. 11-3788 (FLW) (LHG)

Dear Judge Goodman:

Our firm, along with our co-counsel Milbank, Tweed, Hadley & McCloy LLP, represents Plaintiff Orexo AB in the above-referenced matter. We write to inform the Court that Orexo has decided not to file a brief in opposition to Defendants' Motion for Leave to File Its First Amended Answer to Complaint, Separate Defenses, and Counterclaims. In light of the Court's reasoning and order during the June 17, 2013 teleconference permitting discovery relating to inequitable conduct while Mylan's motion to add that defense is pending, Orexo believes it will be more efficient for the parties to direct their attention towards completing discovery at this time. Orexo maintains that Mylan's allegations are factually deficient and legally baseless, and should have never been asserted. Orexo intends to seek summary judgment that there has been no inequitable conduct after the parties complete discovery.

Respectfully submitted,

s/John E. Flaherty

John E. Flaherty

cc: Counsel of Record (via email)

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